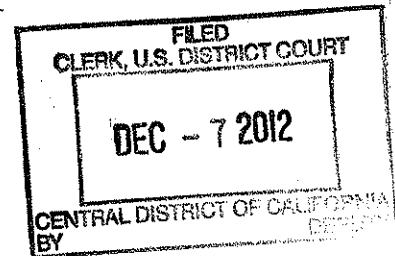


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Attorneys for Plaintiff
MAD DOGG ATHLETICS, INC.



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MAD DOGG ATHLETICS, INC., a
California corporation,

Plaintiff,

v.

WAL-MART STORES, INC., a
Delaware corporation; and SAM'S
WEST, INC., a Delaware corporation,
Defendants.

CV12-10500 DDP (FFM)

Case No.

COMPLAINT FOR:

- 1. FEDERAL TRADEMARK COUNTERFEITING (15 U.S.C. § 1114);**
- 2. FEDERAL TRADEMARK INFRINGEMENT (15 U.S.C. § 1114);**
- 3. FEDERAL UNFAIR COMPETITION AND FALSE DESIGNATION OF ORIGIN (15 U.S.C. § 1125(a));**
- 4. STATE STATUTORY UNFAIR COMPETITION, TRADEMARK INFRINGEMENT AND TRADEMARK COUNTERFEITING (Cal. Bus. & Prof. Code §§ 17200 et seq., 14245 and 14250); and**
- 5. STATE COMMON LAW UNFAIR COMPETITION AND TRADEMARK INFRINGEMENT.**

1 In this lawsuit, plaintiff MAD DOGG ATHLETICS, INC. ("Mad Dogg") seeks
 2 to protect its exclusive right to use its federally registered SPIN®, SPINNER®, and
 3 SPINNING® trademarks in connection with the sale of stationary exercise bicycles.
 4 Accordingly, Mad Dogg seeks an injunction against the unauthorized use of Mad
 5 Dogg's valuable trademarks, monetary damages, and such other relief as the Court
 6 deems just and proper.

7 Jurisdiction and Venue

8 1. This is a Complaint for federal trademark infringement and
 9 counterfeiting under 15 U.S.C. § 1114; federal unfair competition and false
 10 designation of origin under 15 U.S.C. § 1125(a); state statutory unfair competition,
 11 trademark infringement and trademark counterfeiting under Cal. Bus. & Prof. Code §§
 12 17200 et seq., 14245 and 14250, respectively; and state common law unfair
 13 competition and trademark infringement. This Court has jurisdiction over this matter
 14 pursuant to 15 U.S.C §§ 1116(a) and 1121; 28 U.S.C. §§ 1331, 1332(a), and
 15 §§ 1338(a) and (b); and 28 U.S.C. § 1367. Venue is proper in this district pursuant to
 16 28 U.S.C. § 1391(b).

17 Parties

18 2. Mad Dogg is a corporation duly organized and existing under the laws of
 19 the State of California, located and doing business at 2111 Narcissus Court, Venice,
 20 California, 90291.

21 3. On information and belief, defendant WAL-MART STORES, INC.
 22 ("Wal-Mart") is a corporation organized and existing under the laws of the State of
 23 Delaware, doing substantial and continuous business in this judicial district, with a
 24 corporate headquarters at 702 SW 8th Street, Bentonville, Arkansas, 72716. On
 25 information and belief, this defendant is qualified to do business in the State of
 26 California, and is subject to the jurisdiction of this Court as a result of its use of
 27 trademarks that are identical or confusingly similar to Mad Dogg's federally
 28

1 registered SPIN Family of Marks (defined below) in connection with the advertising,
2 distributing, selling and/or offering for sale in this judicial district of stationary
3 exercise bicycles that violate Mad Dogg's SPIN Family of Marks.

4 4. On information and belief, defendant SAM'S WEST, INC. ("Sam's
5 Club") is a corporation organized and existing under the laws of the State of
6 Delaware, doing substantial and continuous business in this judicial district, with a
7 corporate headquarters at 702 SW 8th Street, Bentonville, Arkansas, 72716. On
8 information and belief, this defendant is a subsidiary of Wal-Mart, is qualified to do
9 business in the State of California, and is subject to the jurisdiction of this Court as a
10 result of its use of trademarks that are identical or confusingly similar to Mad Dogg's
11 federally registered SPIN Family of Marks (defined below) in connection with the
12 advertising, distributing, selling and/or offering for sale in this judicial district of
13 stationary exercise bicycles that violate Mad Dogg's SPIN Family of Marks.
14 Defendants Wal-Mart and Sam's Club are hereinafter collectively referred to as
15 "Defendants."

16 **Plaintiff's Rights**

17 5. Mad Dogg was founded in 1994 and is a leader in the sale of stationary
18 exercise bicycles in the United States and worldwide. Mad Dogg created, and has
19 developed and marketed, the world-famous SPINNING® program: A fitness
20 education and training program for use in connection with its stationary exercise
21 bicycles and merchandise related thereto (hereinafter collectively referred to as Mad
22 Dogg's "Goods and Services"). Mad Dogg markets its Goods and Services under its
23 family of federally registered trademarks including without limitation, SPIN®,
24 SPINNER®, and SPINNING® (collectively, the "SPIN Family of Marks").

25 6. Mad Dogg's SPIN Family of Marks are registered with the United States
26 Patent and Trademark Office and include without limitation:
27
28

1	Mark	Reg. No.	Goods	Reg. Date
2	SPIN	2173202	Stationary exercise bicycles in	July 14, 1998
3			International Class 028; Physical	
4			fitness instruction in International	
5			Class 041.	
6	SPINNING	2003922	Exercise equipment in the nature	July 9, 1996
7			of stationary exercise bicycles	
8			and weight training machines in	
9			International Class 028; clothing	
10			in the nature of sports and leisure	
11			clothing, namely shoes, T-shirts,	
12			sweatshirts, sweat pants, polo	
13			shirts, shorts, sports coats and	
14			jackets, socks, sweatbands, and	
15			warmup suits in International	
16			Class 025; prerecorded video	
17			cassettes featuring exercise and	
18			general physical fitness	
19			instruction in International Class	
20			009.	
21	SPINNER	1972363	Exercise equipment in the nature	May 7, 1996
22			of stationary exercise bicycles	
23			and accessories, and weight	
24			training machines in International	
25			Class 028.	

26 Mad Dogg's federal trademark registrations referred to hereinabove are
 27 collectively referred to as the "SPIN Family Registrations." True and correct
 28 printouts from the database of the United States Patent and Trademark Office
 evidencing Mad Dogg's SPIN Family Registrations are attached hereto as **Exhibit A**.

7. The SPIN Family Registrations are in full force and effect and have
 become incontestable pursuant to 15 U.S.C. § 1065.

8. Mad Dogg has set the standard in the fitness world for exercise via
 stationary exercise bicycles and fitness instruction related thereto. For example, Mad
 Dogg is famous for being one of the world's largest fitness education companies with

1 over 200,000 trained SPINNING® program instructors teaching in 35,000 facilities in
2 80 countries worldwide.

3 9. Mad Dogg has expended substantial time, effort and financial resources
4 in connection with its development and sale of stationary exercise bicycles bearing the
5 SPIN Family of Marks.

6 10. Mad Dogg spends approximately \$1,000,000 per year to advertise its
7 stationary exercise bicycles bearing the SPIN Family of Marks.

8 11. Mad Dogg sells approximately 40,000 stationary exercise bicycles per
9 year bearing the SPIN Family of Marks, resulting in gross revenues of approximately
10 \$25,000,000 per year.

11 12. Mad Dogg has successfully enforced its trademark rights against
12 infringers in the past.

13 13. As a business policy, Mad Dogg has established and maintains high
14 standards of quality for licensed products bearing one or more of the SPIN Family of
15 Marks. Mad Dogg maintains stringent quality control over licensees, sponsors, and
16 users of the SPIN Family of Marks with respect to the style and quality of licensed
17 goods sold or offered for sale bearing the SPIN Family of Marks and the manner of
18 use of said marks on said goods in order to preserve and protect Mad Dogg's valuable
19 trademark rights. The foregoing quality control procedures ensure that all such goods
20 bearing or associated with the SPIN Family of Marks will be identified by purchasers
21 as high quality goods emanating from, licensed by, sponsored by, or authorized by
22 Mad Dogg.

23 14. Mad Dogg's Goods and Services bearing the SPIN Family of Marks are
24 widely distributed throughout the United States and worldwide. There is a substantial
25 public demand for such goods and services, and because of said public demand, the
26 right to manufacture, sell, distribute and/or license such goods and services is a
27 valuable commercial property right. It is estimated that the gross retail sales of all
28

1 goods and services bearing or using the SPIN Family of Marks is approximately
2 \$50,000,000 annually.

3 15. Authorized stationary exercise bicycles bearing the SPIN Family of
4 Marks have been advertised by Mad Dogg and its licensees to the purchasing public
5 and to the trade throughout the United States and internationally on an extensive and
6 frequent basis in a variety of media including without limitation newspapers,
7 magazines, television, radio, the Internet, trade publications and trade shows.

8 16. Stationary exercise bicycles bearing the SPIN Family of Marks, by
9 reason of their style, design excellence, and quality of workmanship, have come to be
10 known to the purchasing public throughout the United States and worldwide as
11 representing products of the highest quality. As a result, the SPIN Family of Marks
12 and the goodwill associated therewith are of inestimable value to Mad Dogg.

13 17. Mad Dogg's SPIN Family of Marks is distinctive, and Mad Dogg's
14 stationary exercise bicycles and related merchandise bearing the SPIN Family of
15 Marks are immediately identified by the purchasing public with Mad Dogg.

16 **Defendants' Infringing Activity**

17 18. Long after Mad Dogg's adoption and use of its SPIN Family of Marks in
18 connection with the sale of Mad Dogg's Goods and Services, and long after Mad
19 Dogg obtained its SPIN Family Registrations, Defendants, on information and belief,
20 began advertising, distributing, offering for sale and selling stationary exercise
21 bicycles that do not originate from and are not sponsored by or affiliated with Mad
22 Dogg and that infringe and/or bear counterfeits of Mad Dogg's SPIN Family of Marks
23 (hereinafter, Defendants' "Infringing Bikes").

24 19. True and correct copies of printouts of pictures of the Infringing Bikes
25 advertised, offered for sale and sold by Wal-Mark, and the source code and keywords
26 associated with Wal-Mart's sale of these bikes are attached hereto as **Exhibit B**.

1 24. Wal-Mart has used spurious designations that are identical with, or
2 substantially indistinguishable from, Mad Dogg's SPINNING® trademark (Reg. No.
3 2003922) on goods covered by Mad Dogg's SPIN Family Registrations, namely,
4 stationary exercise bicycles, in connection with its offering for sale and sale of
5 Infringing Bikes in this judicial district.

6 25. Wal-Mart has used these spurious designations for its own personal
7 financial gain notwithstanding Mad Dogg's repeated cease-and-desist demands, and,
8 as such, this conduct by Wal-Mart makes this an exceptional case.

9 26. Wal-Mart's use of Mad Dogg's SPINNING® trademark in connection
10 with the advertisement, distribution, offering for sale and sale of Wal-Mart's
11 counterfeit bikes was and is without Mad Dogg's consent.

12 27. Wal-Mart's unauthorized use of Mad Dogg's SPINNING® trademark on
13 and in connection with the advertising and sale of counterfeit goods constitutes Wal-
14 Mart's use of Mad Dogg's SPINNING® trademark in commerce.

15 28. Wal-Mart's unauthorized use of Mad Dogg's SPINNING® trademark as
16 set forth above is likely to:

- 17 a. cause confusion, mistake and deception;
 - 18 b. cause the public to believe that Wal-Mart's counterfeit
19 products are authorized, sponsored or approved by
20 Plaintiff or that Wal-Mart is affiliated, connected or
21 associated with or in some way related to Plaintiff; and
 - 22 c. result in Wal-Mart unfairly benefiting from Plaintiff's
23 good will and reputation, to the substantial and
24 irreparable injury of the public, Plaintiff and Plaintiff's
25 trademarks and the substantial goodwill represented
26 thereby.
- 27
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1 29. Wal-Mart's acts as aforesaid constitute trademark counterfeiting in
2 violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

3 30. Wal-Mart's unauthorized use of the SPINNING® trademark as set forth
4 above has resulted in Wal-Mart unfairly benefiting from Mad Dogg's advertising and
5 promotion, and profiting from Mad Dogg's reputation and its registered SPINNING®
6 trademark, to the substantial and irreparable injury of the public, Mad Dogg, and the
7 SPINNING® trademark and the substantial goodwill represented thereby.

8 31. Wal-Mart's acts have caused, and will continue to cause, great and
9 irreparable injury to Mad Dogg, and unless such acts are restrained by this Court, they
10 will be continued, thereby causing Mad Dogg to continue to suffer great and
11 irreparable injury. Mad Dogg has no adequate remedy at law.

12 32. Mad Dogg is informed and believes and thereupon alleges that Wal-
13 Mart's counterfeiting is both intentional and egregious.

14 33. Wal-Mart's acts of counterfeiting as alleged herein have been undertaken
15 despite knowledge of Mad Dogg's exclusive rights to its SPINNING® trademark,
16 entitling Mad Dogg to an award of three times Wal-Mart's profits or damages,
17 whichever is greater, plus attorneys' fees and costs and prejudgment interest in
18 bringing and maintaining this action, pursuant to 15 U.S.C. § 1117(b); or alternatively,
19 of statutory damages of not more than \$2,000,000 per counterfeit mark per type of
20 goods or services sold, offered for sale, or distributed, as the court considers just,
21 pursuant to 15 U.S.C. § 1117(c).

22 34. Wal-Mart's wrongful acts of counterfeiting will continue unless enjoined
23 by this Court.

COUNT II

Federal Trademark Infringement

(As Against Defendants)

[15 U.S.C. § 1114]

35. Mad Dogg repeats and realleges all preceding paragraphs as if fully stated herein.

36. The use by Defendants of Mad Dogg's SPIN Family of Marks in connection with their sale of stationary exercise bicycles including without limitation Defendants' use of the SPIN Family of Marks as search terms, key words, hidden text, and/or metatags constitutes trademark infringement in that it is likely to cause confusion, mistake or deception of consumers as to the source of origin or sponsorship of the products, in violation of § 32 of the Lanham Act, 15 U.S.C. § 1114. Specifically, consumers are likely to purchase Defendants' Infringing Bikes falsely believing that Defendants and/or the stationary exercise bicycles sold by Defendants originate from or are affiliated, associated or connected with or are authorized, sponsored, or approved by Mad Dogg when they are not.

37. Mad Dogg has no control over the quality of the products sold by Defendants. Thus, the value of Mad Dogg's SPIN Family of Marks is subject to damage by Defendants, companies it cannot control.

38. Defendants' unauthorized use of the SPIN Family of Marks as set forth above has resulted in Wal-Mart unfairly benefiting from Mad Dogg's advertising and promotion, and profiting from Mad Dogg's reputation and its registered SPIN Family of Marks, to the substantial and irreparable injury of the public, Mad Dogg, the SPIN Family of Marks and the substantial goodwill represented thereby.

39. Defendants' acts have caused, and will continue to cause, great and irreparable injury to Mad Dogg, and unless such acts are restrained by this Court, they

1 will be continued, thereby causing Mad Dogg to continue to suffer great and
2 irreparable injury. Mad Dogg has no adequate remedy at law.

3 40. Mad Dogg is informed and believes and thereupon alleges that
4 Defendants' infringement is both intentional and egregious.

5 41. Defendants' acts of infringement as alleged herein have been undertaken
6 with knowledge of Mad Dogg's exclusive rights to the SPIN Family of Marks,
7 entitling Mad Dogg to an award of three times Defendants' profits or damages,
8 whichever is greater, plus attorneys' fees and costs and prejudgment interest in
9 bringing and maintaining this action, pursuant to 15 U.S.C. § 1117(a).

10 42. Defendants' wrongful acts of infringement will continue unless enjoined
11 by this Court.

12 **COUNT III**

13 **Federal Unfair Competition and False Designation of Origin**

14 **(As Against Defendants)**

15 **[Lanham Act § 43(a); 15 U.S.C. § 1125(a)]**

16 43. Mad Dogg repeats and realleges all preceding paragraphs as if the same
17 were fully stated herein.

18 44. Defendants' use of Mad Dogg's SPIN Family of Marks constitutes unfair
19 competition and a false designation of origin that is likely to cause confusion, mistake
20 or deception of consumers as to the source of origin or sponsorship of Defendants, and
21 Defendants' Infringing Bikes, in violation of § 43(a) of the Lanham Act. Specifically,
22 consumers are subject to confusion and are likely to purchase Defendants' stationary
23 exercise bicycles falsely believing that Defendants, and Defendants' Infringing Bikes,
24 are affiliated, connected, or associated with Mad Dogg, or falsely believing that
25 Defendants, and Defendants' Infringing Bikes, originate from, or are sponsored or
26 approved by Mad Dogg when they are not.

1 infringement and trademark counterfeiting. This Court has jurisdiction over the
2 subject matter of this claim pursuant to the provisions of 28 U.S.C. § 1338(b), this
3 being a claim of unfair competition joined with a substantial and related claim under
4 the trademark laws of the United States, and under 28 U.S.C. § 1367.

5 50. Plaintiff owns all right, title, and interest in and to its SPIN Family of
6 Marks in connection with the manufacture, advertisement, distribution, offering for
7 sale and sale of stationary exercise bicycles.

8 51. Defendants have no right to use Plaintiff's SPIN Family of Marks.

9 52. Defendants have advertised, distributed, offered for sale and sold
10 stationary exercise bicycles through the unauthorized use of infringements of Mad
11 Dogg's SPIN Family of Marks. Such unauthorized use by Defendants of copies or
12 colorable imitations of Plaintiff's SPIN Family of Marks is likely to cause confusion
13 and mistake in the minds of the trade and the purchasing public and to deceive them as
14 to the source of origin, authorization, or sponsorship of the Infringing Bikes and,
15 therefore, to cause purchasers to buy such products in the erroneous belief that they
16 are authentic.

17 53. Defendants have intentionally appropriated Plaintiff's SPIN Family of
18 Marks with the intent of causing confusion, mistake, and deception as to the source of
19 their goods, and with the intent to palm off their goods as those of Plaintiff and to
20 place others in the position to palm off their goods as those of Plaintiff.

21 54. The acts of Defendants have violated the trademark and unfair
22 competition laws of the State of California and specifically California Business and
23 Professions Code sections 17200 et seq., 14245 and 14250.

24 55. By such actions in infringing Plaintiff's SPIN Family of Marks,
25 Defendants are improperly trading upon the enviable reputation and goodwill of
26 Plaintiff and are impairing Plaintiff's valuable rights in and to said trademarks.
27
28

1 place others in the position to palm off their goods as those of Plaintiff, and, as such,
 2 Defendants have committed unfair competition and trademark infringement under the
 3 common law of the state of California.

4 62. By infringing Plaintiff's trademark rights, Defendants have and are
 5 improperly trading upon Plaintiff's enviable reputation and goodwill and are
 6 impairing Plaintiff's valuable rights in and to its SPIN Family of Marks.

7 63. The activities of Defendants complained of herein constitute willful and
 8 intentional acts of unfair competition and infringement of Plaintiff's rights.

9 64. Plaintiff has no adequate remedy at law. The conduct of Defendants has
 10 caused, and if not enjoined will continue to cause, irreparable damage to Plaintiff's
 11 rights in its SPIN Family of Marks and to Plaintiff's business, reputation, and goodwill.

12 **ALLEGATION OF DAMAGE COMMON TO ALL COUNTS**

13 65. Mad Dogg has suffered, is suffering, and will continue to suffer
 14 irreparable harm and damage as a result of Defendants' aforesaid activities.
 15 Defendants will, unless restrained and enjoined by this Court, continue to act in the
 16 unlawful manner complained of herein, all to the irreparable damage of Mad Dogg's
 17 business, reputation and good will. Mad Dogg's remedy at law is not adequate to
 18 compensate it for the injuries suffered and threatened.

19 66. By reason of Defendants' acts complained of herein, Mad Dogg has
 20 suffered monetary damages thus far not determined with certainty, but which will be
 21 pled with more specificity upon completion of discovery.

22 **PRAYER FOR RELIEF**

23 WHEREFORE, Mad Dogg demands:

24 67. That judgment be entered declaring that Defendant Wal-Mart has
 25 deliberately and willfully used counterfeits of Mad Dogg's SPINNING® trademark
 26 on and in connection with the advertisement, distribution, offering for sale and/or sale
 27 of Defendants' Infringing Bikes.
 28

1 68. That judgment be entered declaring that Defendants have deliberately and
2 willfully infringed Mad Dogg's SPIN Family of Marks.

3 69. That judgment be entered declaring that Defendants have engaged in
4 unfair competition and acts of unfair and deceptive business practices in violation of
5 California Business & Professions Code §§ 17200 et seq.

6 70. That Defendants, their officers, agents, employees, servants, privies,
7 successors and assigns, and all persons and organizations in active concert
8 participation and combination with Defendants, be both preliminarily and permanently
9 enjoined and restrained from:

10 a. using Mad Dogg's SPIN Family of Marks, or any confusingly
11 similar designations thereof;

12 b. using any false designation, description or representation regarding
13 the source of Defendants' Infringing Bikes;

14 c. further infringing Mad Dogg's SPIN Family of Marks and thereby
15 damaging Mad Dogg's goodwill and reputation;

16 d. falsely advertising or promoting Defendants' Infringing Bikes by
17 using Mad Dogg's SPIN Family of Marks, or otherwise engaging in deceptive acts
18 and practices in the conduct of their businesses through the unauthorized use of Mad
19 Dogg's SPIN Family of Marks in, among other things, their ad text, source code, key
20 words and metatags; and

21 e. otherwise infringing upon Mad Dogg's SPIN Family of Marks, or
22 competing unfairly with Mad Dogg.

23 71. That Defendants be required to deliver up for destruction all stationary
24 exercise bicycles bearing counterfeits of Mad Dogg's SPINNING® trademark and all
25 labels, signs, prints, packages, wrappers, receptacles, and advertisements or
26 promotional materials bearing Mad Dogg's SPIN Family of Marks or any
27 reproduction, counterfeit, copy, or colorable imitation thereof, as well as all and all
28

1 plates, molds, matrices, and other means of making the same, which are in
2 Defendants' possession, custody or control, as provided by § 36 of the Lanham Act
3 (15 U.S.C. § 1118).

4 72. That Mad Dogg be compensated for all damages caused by Defendants'
5 infringement and counterfeiting of Mad Dogg's SPIN Family of Marks pursuant to 15
6 U.S.C. § 1117.

7 73. That Defendants, at Mad Dogg's option, be required to account for and
8 pay to Mad Dogg all profits realized from Defendants' wrongful acts, and to
9 compensate Mad Dogg for all damages sustained by Mad Dogg by reason of the acts
10 complained of herein, and that the award of such profits be enhanced up to three times
11 their amount pursuant to 15 U.S.C. § 1117(a) or (b); or, alternatively, that Mad Dogg
12 be awarded statutory damages of up to \$2,000,000 per counterfeit mark per type of
13 good pursuant to 15 U.S.C. § 1117(c).

14 74. That Mad Dogg be awarded its reasonable attorneys' fees and costs,
15 together with pre- and post-judgment interest pursuant to 15 U.S.C. § 1117, or as
16 otherwise provided by law.

17 75. That Mad Dogg be awarded exemplary or punitive damages.

18 76. That Mad Dogg be awarded such other and further relief as this Court
19 may deem just and proper.

20
21 RAINES FELDMAN, LLP

22
23 Dated: Dec. 7, 2012

24 By: 

Konrad K. Gatten

Attorneys for Plaintiff

MAD DOGG ATHLETICS, INC.

EXHIBIT A



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Typed Drawing

Word Mark	SPIN
Goods and Services	IC 028. US 022 023 038 050. G & S: stationary exercise bicycles. FIRST USE: 19920100. FIRST USE IN COMMERCE: 19920100
	IC 041. US 100 101 107. G & S: physical fitness instruction. FIRST USE: 19920100. FIRST USE IN COMMERCE: 19920100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75976589
Filing Date	April 22, 1996
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 8, 1997
Registration Number	2173202
Registration Date	July 14, 1998
Owner	(REGISTRANT) Mad Dogg Athletics, Inc. CORPORATION CALIFORNIA 2111 Narcissus Court Venice CALIFORNIA 90291
Attorney of Record	Konrad K. Gatien
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080625.
Renewal	1ST RENEWAL 20080625
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark	SPINNING
Goods and Services	IC 009. US 021 023 026 036 038. G & S: prerecorded video cassettes featuring exercise and general physical fitness instruction. FIRST USE: 19900200. FIRST USE IN COMMERCE: 19900200
	IC 025. US 022 039. G & S: clothing in the nature of sports and leisure clothing, namely shoes, T-shirts, sweatshirts, sweat pants, polo shirts, shorts, sports coats and jackets, socks, sweatbands, and warmup suits. FIRST USE: 19900100. FIRST USE IN COMMERCE: 19900100
	IC 028. US 022 023 038 050. G & S: exercise equipment in the nature of stationary exercise bicycles and weight training machines. FIRST USE: 19900100. FIRST USE IN COMMERCE: 19900100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74587547
Filing Date	October 19, 1994
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 9, 1996
Registration Number	2003922
Registration Date	October 1, 1996
Owner	(REGISTRANT) Mad Dogg Athletics, Inc. CORPORATION CALIFORNIA 2111 Narcisus Court Venice CALIFORNIA 90291
Attorney of Record	Konrad K. Gatien
Prior Registrations	1780650;1808045
Type of Mark	TRADEMARK

Exhibit No. A
Page No. 2

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060414.
Renewal 1ST RENEWAL 20060414
Live/Dead
Indicator LIVE

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Typed Drawing

Word Mark	SPINNER
Goods and Services	IC 028. US 022 023 038 050. G & S: exercise equipment in the nature of stationary exercise bicycles and accessories, and weight training machines. FIRST USE: 19850600. FIRST USE IN COMMERCE: 19850600
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74587584
Filing Date	October 19, 1994
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	February 13, 1996
Registration Number	1972363
Registration Date	May 7, 1996
Owner	(REGISTRANT) Mad Dogg Athletics, Inc. CORPORATION CALIFORNIA 2111 NARCISUS COURT VENICE CALIFORNIA 90291
Attorney of Record	Konrad K. Gatien
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070221.
Renewal	1ST RENEWAL 20070221
Live/Dead Indicator	LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH/OG](#) [TOP](#) [HELP](#)

Exhibit No. A
Page No. 4

EXHIBIT B



Ultimate Online Specials — for your best Christmas yet

New customer? Sign In Help

Value of the Day Local Ad Store Finder Registry Gift Cards

Track My Orders My Account My Lists

See All Departments

Search Sports & Outdoors

spin

Submit

My Cart

Choose My Store

Search results for "spin"

Search In:

We found 706 results for "spin" in Sports & Outdoors. Click here to see results in All Departments.

Matching Departments

Sports & Outdoors

- Bikes (4)
- Bikes, Skates & Skateboards (16)
- Camping (4)
- Exercise & Fitness (22)
- Fishing & Marine (599)
- Game Room (30)
- Gifts Over \$100 (1)
- Golf (20)
- Holiday- Sports Cyber Week Specials (4)
- Holiday- The Top Trampolines (1)
- Hunting (37)
- Outdoor Sports & Games (36)
- Sports Fan Shop (7)
- Team Sports (2)
- Tennis & Racquet (9)

Refine Results

Brand

- ☐ Abu Garcia (10)
- ☐ Acme (1)
- ☐ Allen (1)
- ☐ Baden (1)
- ☐ Bell Sports (1)
- ☐ Berkley (1)
- ☐ Best Fitness (1)
- ☐ Body Solid (1)

Price

- ☐ \$0 - \$10 (17)
- ☐ \$10 - \$20 (76)
- ☐ \$20 - \$50 (731)
- ☐ \$50 - \$100 (145)
- ☐ \$100 - \$150 (42)
- ☐ \$150 - \$200 (17)
- ☐ \$200 - \$250 (5)
- ☐ \$250 - \$500 (14)

Customer Rating

- ☐ 4 - 5 Stars (130)
- ☐ 3 - 3.9 Stars (14)
- ☐ 2 - 2.9 Stars (9)
- ☐ 1 - 1.9 Stars (5)

Color

- ☐ Black (160)
- ☐ Blue (4)
- ☐ Brown (9)
- ☐ Green (2)
- ☐ Grey (11)
- ☐ Orange (6)
- ☐ Pink (9)
- ☐ Red (18)

Shipping Offers

- ☐ 97 Cent Shipping (37)
- ☐ Free Shipping (8)
- ☐ Home Free (19)

Free Store Pickup

- ☐ Available Today (115)
- ☐ Show All (607)

League

All Items (706)

Show Store Items

Online Items

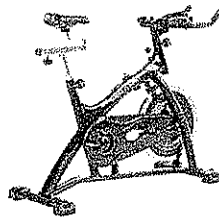
Sort by Best Match

Items 1- 16 of 706 total

16 32 Per Page

List View Grid View

Previous 1 2 3 4 5 ... Next

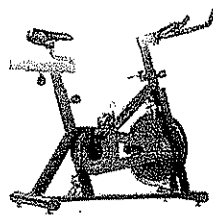


Weslo Pro CTX Spinning Exercise Bike

\$249.00

4.5 (5)

Free store pickup as soon as 12/12 with site to store

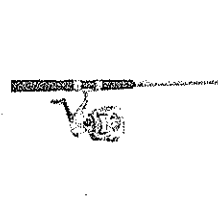


Marcy Club Revolution Cycle Exercise Bike

\$193.00

4.5 (4)

Free store pickup as soon as 12/12 with site to store



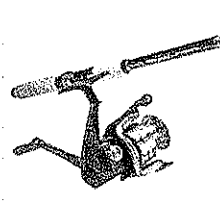
Calypso Mako 7' Spin Combo Fishing Rod and Reel

\$22.00

List Price: \$31.96
You save: \$9.96 (31%)

4.5 (2)

Free store pickup as soon as 12/12 with site to store



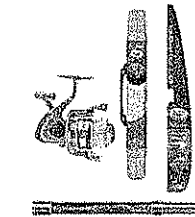
Matzuo 6' Medium Spin Combo, 2 pc

\$15.80

List Price: \$19.96
You save: \$4.16 (21%)

4.5 (7)

Free store pickup as soon as today with site to store



R2F Striper Spin Combo with Kit

\$34.00

4.5 (3)

Free store pickup as soon as today with site to store

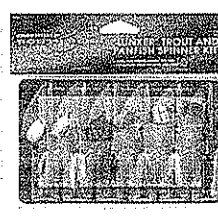


Stamina Indoor Pro Cycle

\$97.00

4.5 (69)

Free store pickup as soon as today with site to store



South Bend Trout and Panfish Spin Kit

\$9.95

Free store pickup as soon as today with site to store

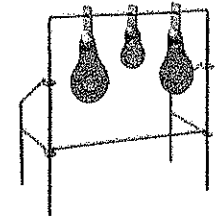


South Bend Telescopic Spin Fishing Combo with 65-Piece Kit

\$19.00

4.5 (1)

Free store pickup as soon as 12/12 with site to store

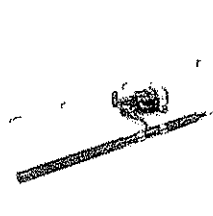


Winchester Spinning Targets

\$15.97

Out of stock online

4.5 (3)



Shakespeare Tiger 7' Spinning Rod and Reel Combo

\$19.86

4.5 (79)

Free store pickup as soon as today with site to store

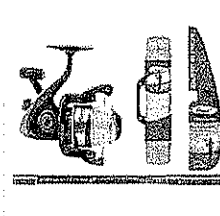


R2F Telescopic Spin Cast Combo with Kit

\$29.10

List Price: \$31.46
You save: \$2.06 (7%)

Free store pickup as soon as 12/12 with site to store



R2F Surf & Pier Spin Combo with Tackle Kit

\$36.96

4.5 (9)

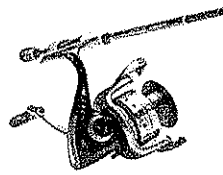
Free store pickup as soon as today with site to store

Exhibit No. 12
Page No. 1

- ☐ NCAA (1)
☐ NFL (3)
☐ Olympics (1)
Sports Team
☐ Dallas Cowboys (1)
☐ Detroit Lions (1)
☐ Houston Texans (1)
☐ Michigan State Spartans (1)
Special Offers
☐ As Advertised (1)
☐ Below List Prices (2)
☐ Clearance (2)
☐ New (2)
☐ Only at Walmart (1)
☐ Reduced Price (3)
☐ Rollback (2)
Retailer
☐ PlumStruck (1)
☐ Pro Team (5)
☐ ToolKing.com (3)
☐ Walmart.com (670)
☐ Wayfair (2)

- Species Type**
☐ Bass (26)
☐ Catfish (40)
☐ Deer (3)
☐ Elk (3)
☐ Mule Deer (0)
☐ Panfish / Crappie (29)
☐ Predator (1)
☐ Saltwater (120)

Recently Viewed Items
I Am T-Pain
Microphone, Black and Gold
★★★★★
\$29.00
Was: \$32.00
Clear this list



Matzuo 6'6" Medium Spin Combo, 2 pc

\$29.96

★★★★★ (1)

• Free store pickup as soon as today with [site to store](#)



South Bend Spin Fishing Combo with 45-Piece Kit

\$13.00

★★★★★ (4)

• Free store pickup as soon as 12/12 with [site to store](#)

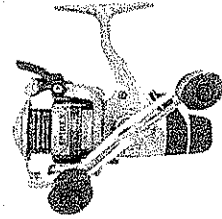


Primos Sit N Spin Predator Decoy

\$29.97

★★★★★ (1)

• 97¢ shipping
• Free store pickup as soon as 12/12 with [site to store](#)



Shimano Spirex RG Spin Reel

\$59.99

★★★★★ (1)

• Free store pickup as soon as 12/12 with [site to store](#)

Items 1- 16 of 706 total 16 32 Per Page

(Previous 1 2 3 4 5 ... Next) Top of Page

View: All Items(706) Show Store Items Online Items

Sort by Best Match

What Do People Ultimately Purchase After Searching For Items You Searched For?



72% buy
Bounce-N-Learn Interactive Kids Trampoline...
[site to store](#)
97¢ SHIPPING
★ ★ ★ ★ ★
\$69.00



14% buy
Gold's Gym Speed Jump Rope, 9'
[site to store](#)
97¢ SHIPPING
★ ★ ★ ★ ★
\$2.57



2% buy
Gold's Gym 5-lb. Pair Adjustable Ankle...
★ ★ ★ ★ ★
\$11.97



<1% buy
Gold's Gym Cycle Trainer 310 Exercise Bike
[site to store](#)
★ ★ ★ ★ ★
\$267.00



<1% buy
Shimano Syncopate Front Drag Spinning Reel
[site to store](#)
★ ★ ★ ★ ★
\$24.10

Sponsored Links

Kiteboarding Gear 50% Off | MACKiteboarding.com
2011 11m kites complete from \$785 Best Price & Free Shipping
www.mackiteboarding.com/Sale-Kites

Did you find the product or service you were looking for? ☐ Yes ☐ No

Sign up for savings Get Walmart values delivered to your inbox.

Enter Email Address

Sign up

Privacy policy

Get to know us

Corporate
Our Story
News & Views
Community Giving
Global Responsibility
Investors
Suppliers
Careers

Walmart.com

About Walmart.com
Terms of Use
Affiliate Program
Sponsorship Submission
International Customers
About Our Ads
Store Finder
Printable Coupons
Associate Discount
Privacy & Security
California Privacy Rights
@WalmartLabs
See All Departments

Help

Help Center
Track Your Order
Returns Policy
Return an Item
Product Recalls
Contact Us
Feedback +1

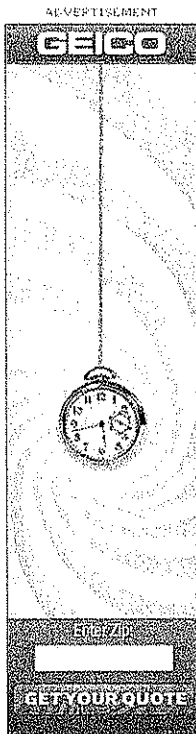
In the Spotlight

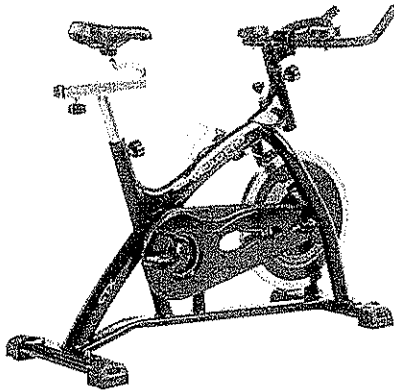
Black Friday
Cyber Monday
Thanksgiving
Laptops
iPad and Tablets
Appliances
TVs
Toys
eGift Cards
Best Sellers
New Arrivals
Top-Rated Items

Financial Services

Walmart MoneyCenter

Walmart Credit Cards
Apply Now
Manage Account & Pay Bill





Weslo Pro CTX Spinning Exercise Bike

Be the first to write a review

Buy from Walmart		Shipping & Return	
Online	NEW		
\$249.00	In stock for:		
Quantity: 1	Add to Cart	• Free store pickup with sitetoystore near:	
Add to: My List My Registry		Enter ZIP code Ship	
		• Ship to home When will it arrive?	

Item Description

Get an incredible workout and real savings with the Weslo Pro CTX Spinning Exercise Bike. Featuring an innovative chain drive system and heavy-duty 30-pound flywheel, this indoor cycle delivers a smooth, comfortable ride and a more realistic biking experience. A quick-stop braking system allows you to start and stop at any time and pedals with toe cages and straps keep you stable and safe. Other features include adjustable, multi-grip handlebars, a felt resistance system and an adjustable, cushioned seat. The Weslo Pro CTX bike gives you a great workout at an incredible price.

Weslo Pro CTX Spinning Exercise Bike:

- Chain drive system
- Adjustable, padded seat
- Adjustable, non-slip handlebars
- Felt resistance system
- Quick-stop braking system
- 30 lb flywheel
- Pedals with toe cages and straps
- Transport wheels
- Durable construction
- Water bottle holder
- 250 lb user weight capacity
- 3-year warranty
- 90-day parts and labor warranty
- Model# WLEX32411

Specifications

Top of Page

Battery Type:	Does Not Contain a Battery
Multi Pack Indicator:	No
Model No.:	WLEX32411
Shipping Weight (in pounds):	92.0
Product in Inches (L x W x H):	46.0 x 20.0 x 42.0

Exhibit No. B
Page No. 3

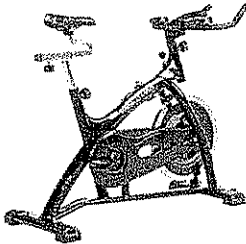
Walmart Ultimate Online Specialists — for your best Christmas yet

New customer? Sign In Help

Value of the Day Local Ad Store Finder Registry Gift Cards Track My Orders My Account My Lists

Search All Departments Search Sports & Outdoors Search Go

Sports & Outdoors : Exercise Bikes



Weslo Pro CTX Spinning Exercise Bike

Be the first to write a review About this product

Online:
\$249.00

Quantity: 1

Add to: My List My Registry

Enter ZIP code:

Ship to home: When and how?


Free store pickup with store:

Top of Page

About this product

- Item Description
- Specifications
- Product Reviews
- Q&A Exchange
- Product Warranty and...
- Rating Plans
- Planning Offers

What Was Ultimately Purchased By People Who Viewed This Item



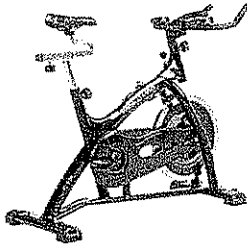
Walmart Ultimate Online Specialists — for your best Christmas yet

New customer? Sign In Help

Value of the Day Local Ad Store Finder Registry Gift Cards Track My Orders My Account My Lists

Search All Departments Search Sports & Outdoors Search Go

Sports & Outdoors : Exercise Bikes



Weslo Pro CTX Spinning Exercise Bike

Be the first to write a review About this product

Online:
\$249.00

Quantity: 1

Add to: My List My Registry

Enter ZIP code:

Ship to home: When and how?


Free store pickup with store:

Top of Page

About this product

- Item Description
- Specifications
- Product Reviews
- Q&A Exchange
- Product Warranty and...
- Rating Plans
- Planning Offers

What Was Ultimately Purchased By People Who Viewed This Item



Item Description

Get an incredible workout and real savings with the Weslo Pro CTX Spinning Exercise Bike. Featuring an innovative chain drive system and heavy-duty 30-pound flywheel, this indoor cycle delivers a smooth, comfortable ride and a more realistic, biking experience. A quick-stop braking system allows you to start and stop at any time and pedals with toe cages and straps keep you stable and safe. Other features include adjustable, multi-grip handlebars, a left resistance system and an adjustable, cushioned seat. The Weslo Pro CTX bike gives you a great workout at an incredible price.

Weslo Pro CTX Spinning Exercise Bike:

- Chain drive system
- Adjustable, padded seat
- Adjustable, non-slip handlebars
- Left resistance system
- Quick-stop braking system
- 30 lb flywheel
- Pedals with toe cages and straps
- Transport wheels
- Durable construction
- Water bottle holder
- 250 lb user weight capacity
- 3-year warranty

Recently Viewed Items

Marcy Club Revolution Cycle Exercise Bike... \$193.00

1.8m 1-Pan Marphone, Black and Gold \$29.00 Was: \$32.00

Top Searched Items in Exercise & Fitness

Stamina Air Resistance Upright Bike



People Who Viewed This Item Also Viewed



Velocity Fitness
Recumbent Exercise
Bike
site to store
★★★★★
\$236.70



Pro-Form 115 M
Indoor Cycle
site to store
★★★★★
\$349.00



Pro-Form 250 SPX
Exercise Bike
site to store
★★★★★
\$271.60



Sunny Health and
Fitness Magnetic
Indoor...
site to store
★★★★★
\$248.40



Stamina Indane Pro
Cycle
site to store
★★★★★
\$97.00

Specifications

Top of Page

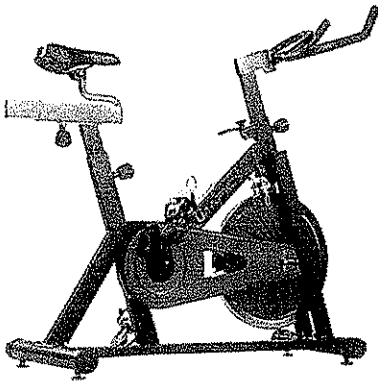
Battery Type:
Multi Pack Indicator:
Model No.
Shipping Weight (in pounds):
Product in inches (L x W x H):

Does Not Contain a Battery
No
WUEK33411
92.0
46.0 x 20.0 x 42.0

Customer Product Reviews

Top of Page

Be the first to write a review



★★★★★ (4 Customer Reviews) Write a review

Shipping & Pickup

\$193.00

- Free store pickup with ~~site to store~~ near:

1. []

Add to Cart

Enter ZIP code

Add to: [My List](#) [My Registry](#)

- **Ship to home** When will it arrive?

Shipping & Delivery Information

When will I get this item

\$315.99

Free shipping to home by Wayfair

See Shipping and Return Policy

from Wayfair(Retailer Info)

1. ☐ ☐

Add to Cart

The Marcy Club Revolution Cycle Exercise Bike is designed to make indoor cycling more effective. Easy-to-access manual resistance adjustment of this Marcy club revolution cycle simulates various terrains, so that users get excellent cardio workout results. Habitual training on this Marcy Exercise Bike can help lose weight quickly as it gives strong workouts to your back muscles, buttocks, hamstrings, and quads. Both the seat and handles of this weight loss exercise bike can be adjusted to accommodate and fit persons of all body types. Large mass balanced flywheel of this spinning exercise bike generates continuous and smooth momentum. The indoor exercise bike also come outfitted with a water bottle holder and adjustable basket cage pedals to keep your essentials handy.

- Fully adjustable handles and seat accommodates any body type
- Large mass balanced flywheel produces smoother, continuous momentum
- Water bottle holder
- Adjustable basket cage pedals
- Easy to reach manual resistance adjustment simulates different terrains, allowing users to get the best cardio workout possible
- Flywheel brake
- Transport wheels
- Comfortable seat
- Accommodates users up to 300 lbs
- Quick weight loss while working out quads, hamstrings, buttocks and back muscles at the same time
- Model# H2502C

[Top of Page](#)

Does Not Contain a Battery

No

H2502C

98.5

50.0 x 20.0 x 46.5

Exhibit No. B
Page No. 6

```

<!doctype html>
<html xmlns:fb="http://www.facebook.com/2008/fbml"
xmlns:og="http://ogp.me/ns#" itemscope itemtype="http://schema.org/Product">
<head>
<script>
var t_page_start=new Date().getTime();
var _boomr=_boomr||[];
(function(d){var
b=d.createElement('script');b.src='http://i2.walmartimages.com/js/rollups/rum.jsp';b.
setAttribute('async','true');b.setAttribute('defer','defer');var
s=d.getElementsByTagName('script')[0];s.parentNode.insertBefore(b, s);})(document);
</script>

<!-- Changes for 12.5 SEO - Start -->
<!-- Changes for 12.5 SEO - END -->
<title>Marcy Club Revolution Cycle Exercise Bike, Marcy Club Revolution Cycle, Marcy
Exercise Bike, Flywheel Exercise Bike, Spinning Exercise Bike, Weight Loss Exercise
Bike, Indoor Exercise Bike</title>
<link href="http://i2.walmartimages.com/css/wmCommon.css" rel="stylesheet"
type="text/css">
<!-- add ?CSSDebug=wmRollup_Base to unroll this -->
<link href="http://i2.walmartimages.com/css/wmRollup_Base.jsp" rel="stylesheet"
type="text/css">
<link href="http://i2.walmartimages.com/css/wmRollup_Item.jsp" rel="stylesheet"
type="text/css">
<!--[if IE]><![endif]-->
<!--[if lt IE 7]>
<link href="http://i2.walmartimages.com/css/global_ie6.css" rel="stylesheet"
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<![endif]-->
<!--[if IE 7]>
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<![endif]-->
<!--[if IE 8]>
<link href="http://i2.walmartimages.com/css/global_ie8.css" rel="stylesheet"
type="text/css">
<![endif]-->
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rel="stylesheet" type="text/css">
<script src="http://i2.walmartimages.com/js/rollups/foundation.jsp"
type="text/javascript"></script>
<script src="http://i2.walmartimages.com/js/rollups/catalog.jsp"
type="text/javascript"></script>
<!-- canonical url -->
<link rel="canonical" href="http://www.walmart.com/ip/Marcy-Club-Revolution-
Cycle/17272580"/>
<link rel="image_src"
href="http://i.walmartimages.com/i/p/00/09/63/62/99/0009636299174_215X215.jpg"/>
<meta name="title" content="Marcy Club Revolution Cycle Exercise Bike"/>
<meta name="Description" content="Marcy Club Revolution Cycle Exercise Bike -
Walmart.com">
<meta name="Keywords" content="Shop for the Marcy Club Revolution Cycle Exercise Bike
at always low prices from Walmart.com.">
<meta name="verify-v1" content="4kvsU2tt/Ic9Z39fTPz2rJhJCUvOnYMvHF1z8ypaSvo=" />

```

Exhibit No. 3Page No. 7

quads. Both the seat and handles of this weight loss exercise bike can be adjusted to accommodate and fit persons of all body types. Large mass balanced flywheel of this spinning exercise bike generates continuous and smooth momentum. The indoor exercise bike also come outfitted with a water bottle holder and adjustable basket cage pedals to keep your essentials handy. </p>

</div>

<div>

Marcy Club Revolution Cycle Exercise Bike:Fully adjustable handles and seat accommodates any body typeLarge mass balanced flywheel produces smoother, continuous momentumWater bottle holderAdjustable basket cage pedalsEasy to reach manual resistance adjustment simulates different terrains, allowing users to get the best cardio workout possibleFlywheel brakeTransport wheelsComfortable seatAccommodates users up to 300 lbsQuick weight loss while working out quads, hamstrings, buttocks and back muscles at the same timeModel# H2502C

</div>

</div>

<!-- Changes for 12.5 SEO - End -->

<!-- Start: Hazmat Warning -->

<div id="hideProductQuesLink" class="ProdQuestions prtHid">Do you have questions about this product? Ask a question.</div>

</div>

<!-- End: Prod Info w/o Spec (module 403) -->

</div>

</div>

<!-- End secondaryInfoTwoColContainer MP -->

</div>

<div class="multiRow clearfix">

<!--

ModuleId 418317

FileName @drugFacts

-->

<!-- get the drugFacts map from request -->

<!-- get the ingredients map from request -->

<!-- get the purpose map from request -->

</div>

<div class="multiRow clearfix">

<!--

ModuleId 410823

FileName @mpManufacturerContent

-->

<div class="prtHid">

<!-- End: MP Manufacturer Content -->

</div>

</div>

<div class="multiRow clearfix">

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ModuleId 372287

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<div class="prtHid">

<!-- Start: Product Rich Media (module) -->

<!-- End: Product Rich Media (module) -->

Exhibit No. β

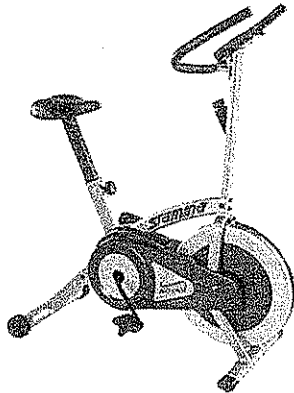
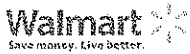
Page No. 8

```

turn cycle came cracked, outside of that i love the bike.</span> 07/02/2012<meta
itemprop="datePublished" content="2012-07-02" /></div><div itemprop="review"
itemscope itemtype="http://schema.org/Review"><meta itemprop="itemReviewed"
content="Marcy Club Revolution Cycle Exercise Bike" /><span itemprop="reviewRating"
itemscope itemtype="http://schema.org/Rating">Rated <span
itemprop="ratingValue">5</span> out of <span
itemprop="bestRating">5</span></span>Â by <span itemprop="author">tjsgals</span><span
itemprop="description"> I really like this bike. It doesn't shake while I'm riding,
it's pretty sturdy and its quite. It really gives me a good workout. I get my lap top
and get a spin cycle class on U TUBE and work out to it. So its been really
fun.</span> 10/27/2012<meta itemprop="datePublished" content="2012-10-27"
/></div><div itemprop="review" itemscope itemtype="http://schema.org/Review"><meta
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itemprop="ratingValue">4</span> out of <span
itemprop="bestRating">5</span></span>Â by <span itemprop="author">tig7777</span><span
itemprop="description"> We love the exercise bike, except the seat is way to narrow
with not enough padding. That is easily remedied. It would be nice if the handle bars
were closer to the body, instead of WAY out in front. Other than that we love
it.</span> 09/10/2012<meta itemprop="datePublished" content="2012-09-10" /></div>
</div><!--end-reviews--> <script
type="text/javascript">document.getElementById('BVRReviewsSoiSectionID_17272580').st
yle.display = 'none';</script></div><!--begin-pagination--><!--end-pagination-->
</div></div>
<a href="/ip/Marcy-Club-Revolution-Cycle/17272580?page=seeAllReviews">See All
Reviews</a>
</div>
<script type="text/javascript">
//Display/hide Customer Images link when BVMediaGalleryContainer contains innerHTML
or not.
WALMART.BV.showCustomerImagesLinkTPS=true;
function showCustomerImagesLink(){
var imagesLinkEl = document.getElementById("customerImagesLink");
if(imagesLinkEl){
var BVMediaEl = document.getElementById("BVMediaGalleryContainer");
if(BVMediaEl.innerHTML == undefined || BVMediaEl.innerHTML == null ||
BVMediaEl.innerHTML == ' ' || BVMediaEl.innerHTML == ""){
imagesLinkEl.style.display = "none";
}else{
imagesLinkEl.style.display = "block";
}
}
}
</script>
<!-- End: ShortReviewModule (module 438) -->
</div>
</div>
<div class="multiRow clearfix">
<!--
ModuleId 372300
FileName @mpAskAndAnswerDisplay
-->
<div class="prtHid">
<!-- Starting test for Ask & Answer Display -->
<!-- Start Ask & Answer Display -->

```

Exhibit No. BPage No. 9



Stamina Indoor Pro Cycle

★★★★☆ (69 Customer Reviews) Write a review

[Buy from Walmart](#)

[Shipping & pickup](#)

Online

\$97.00

Quantity: [Add to cart](#)

Add to: [My List](#) [My Registry](#) [Ship to home](#) When will it arrive?

Also in stores

In stock for:

- Free store pickup with [site to store](#) near:

Enter ZIP code [Go](#)

IN LIMITED STORES

Check store availability for this product.

GIFTING NOTE: This item ships in the manufacturer's original packaging. If intended as a gift, the packaging may reveal the contents.

Item Description

Burn calories and fat and improve your cardiovascular fitness with the Stamina Indoor Pro Cycle. With this indoor cycle, you get an effective, low-impact aerobic workout and you'll increase your metabolism without the impact on your joints. Choose your workout intensity on this exercise bike with the simple dial tension control and enjoy the quiet, smooth pedaling action that is similar to real biking.

Stamina Indoor Pro Cycle:

- Indoor cycle has smooth pedaling action similar to real biking
- Exercise bike has multiple seat positions
- Easy adjustment to fit most users
- InTouch electronic fitness monitor with easy-to-read numbers tracks time, speed, distance, calories and scans with simple, 1-button control
- Molded, padded seat
- Leveling stabilizer caps
- Sturdy steel frame
- Oversized, weighted pedals
- Strap resistance with dial tension to set workout intensity

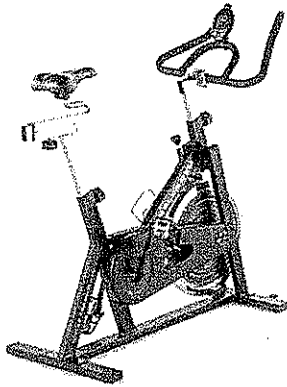
Specifications

[Top of Page](#)

Multi Pack Indicator:	No
Model No.:	15-1306
Shipping Weight (in pounds):	49.0
Product in Inches (L x W x H):	41.0 x 18.75 x 49.0
Walmart No.:	000986917

Exhibit No. B

Page No. 10



Gold's Gym Cycle Trainer 310 Exercise Bike

★★★★☆ (29 Customer Reviews) Write a review

Buy from Walmart		Shipping & Pickup	
Online	In stock for:		
\$267.00	<ul style="list-style-type: none"> Free store pickup with site to store near: 		
Quantity: 1	<input type="text" value="Enter ZIP code"/> <input type="button" value="Submit"/>		
<input type="button" value="Add to Cart"/>		<input type="button" value="Ship to home"/> When will it arrive?	
Add to: My List My Registry		<input type="button" value="Also in stores"/>	
Also in stores		IN LIMITED STORES	
Check store availability for this product.			

Product availability, styles, promotions and prices may vary between stores and online.

Item Description

Maximize your results with indoor cycling! With the Gold's Gym Cycle Trainer 310 Exercise Bike, you can bring the indoor cycling class from the gym to your home. The two included instructional workout DVDs with this exercise bike will help you burn fat and lose weight. Led by a certified personal trainer, these workouts using this Gold's Gym exercise bike are designed just like a gym class with intervals and climbs for maximum results. Plus, this indoor exercise bike boasts a heavy 40-pound flywheel and a durable chain drive system for smooth, consistent performance. Other features include a felt resistance system, padded seat and adjustable handlebars.

Gold's Gym Cycle Trainer 310 Exercise Bike:

- Upright exercise bike design
- Designed with traditional cycling in mind
- Offers various training techniques
- Allows for a more intense cardio workout
- Adjustable seat with padding
- Find your perfect fit for a more comfortable workout
- Adjustable, non-slip handlebars with grips
- Ergonomically designed to cut down on fatigue and prevent discomfort
- Adjust the height to find the right fit
- Pedals with toe cages and straps designed to keep your feet in place
- Pedals can be used with the opposite side up
- 40 lb flywheel
- Low maintenance and extremely durable
- Smooth, consistent feel throughout your workout
- Felt resistance system with an easy adjustment knob
- 2 instructional workout DVDs led by a certified personal trainer
- Workouts are designed like an indoor cycling class with intervals and climbs for maximum results
- Quick-Stop braking system offers added control
- Built for a fast-paced cardio workout, you can quickly start and stop at anytime
- Durable steel frame
- Enhanced corrosion resistance
- Easy-to-read LCD window tracks speed, time, distance and calories burned
- Chain drive delivers a smooth, quiet and comfortable ride
- Built-in transport wheels quickly move the bike to your workout area
- Water bottle holder
- Accommodates up to 250 lbs
- 90-day parts and labor warranty
- 3-year frame warranty

Specifications

Top of Page

Primary Color:	Black
Multi Pack Indicator:	No
Model No.:	GGEX62410
Shipping Weight (in pounds):	103.6
Product in Inches (L x W x H):	55.0 x 20.0 x 42.0
Walmart No.:	000946265

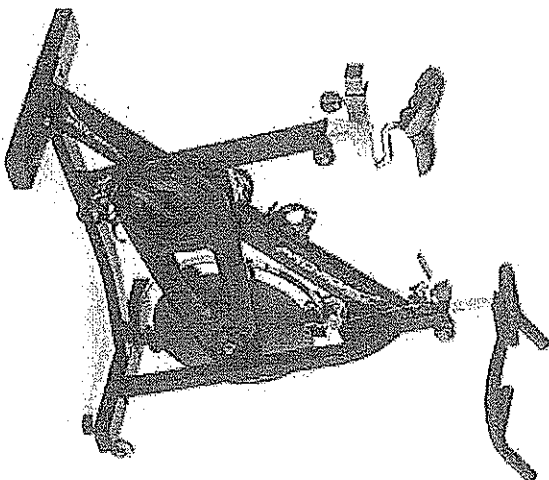
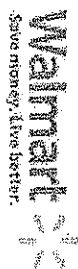
Exhibit No. B

Page No. 11

Figure 1. Screenshot of the search results for the keyword "red chili pepper" on the Sunny Health and Fitness website. The search bar shows the query "red chili pepper" and the results list includes "Red Chili Pepper" under the "Sunny Health and Fitness" brand.

Exhibit No. B
Page No. 12

Page No. 13



ProForm 290 SPX Exercise Bike

★★★★☆ (47 Customer Reviews) Write a review

Buy from Walmart

Shipping & Pickup

When will I get this item?

Online

\$297.00

In stock for:

• Free shipping to store Find

• Ship to home

Quantity Add to: My List New! My Registry

IN LIMITED STORES

In stores
Price may vary

Check store availability for this product.

Product availability, styles, promotions and prices may vary between stores and online.

Item Description

Get an incredible workout right at the comfort your home with the ProForm 290 SPX Spinner Bike. This cycle is built for the ultimate cardio exercise. Whether you're a weekend warrior or a first-time fitness buyer, the SPX Spinner exercise bike is for you. This cycle trainer is will meet the requirements of different users of all fitness levels a challenging, fat-burning cardiovascular workout in as little time as possible. With an adjustable seat and nonslip handlebars, this spinner exercise bike lets you get the right position to carry out your workout effortlessly. It also features pedals with toe cages that helps keep your feet in place during your rigorous exercise sessions. This indoor exercise bike comes with transport wheels that let you move it from one room to another conveniently. For an improved workout, The 290 SPX's chain drive system offers you a smooth, quiet, and comfortable ride.

ProForm 290 SPX Spinner Bike:

- Upright design allows for a more intense, cardio workout
- Designed with traditional cycling in mind
- Offers various training techniques
- Adjustable seat allows you to find your perfect fit for a more comfortable workout
- Horizontal and vertical seat adjustment

Exhibit No. B

Page No. 14

2/16/12

ProForm 290 SPX Exercise Bike - Walmart.com

- Adjustable, non-slip handlebars with grips
- Handlebars are ergonomically designed to cut down on fatigue and prevent discomfort
- Adjust the height to find the right fit
- Pedals with toe cages are designed to keep your feet in place
- Built with toe cages to increase stability
- Pedals can be used with the opposite side up for added intensity and advanced users
- Chain drive delivers a smooth, quiet and comfortable ride
- Quickly move the bike to your workout area with the Pro-Form Upright Exercise Bike's built-in transport wheels
- Water bottle holder helps you stay hydrated throughout your workout
- 250 lb. user weight capacity

Specifications

Battery Type:	Does Not Contain a Battery
Multi Pack Indicator:	No
Model No.:	PFEEX02909
Shipping Weight (in pounds):	96.0
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Walmart No.:	550340078

Exhibit No. 13Page No. 15

EXHIBIT C

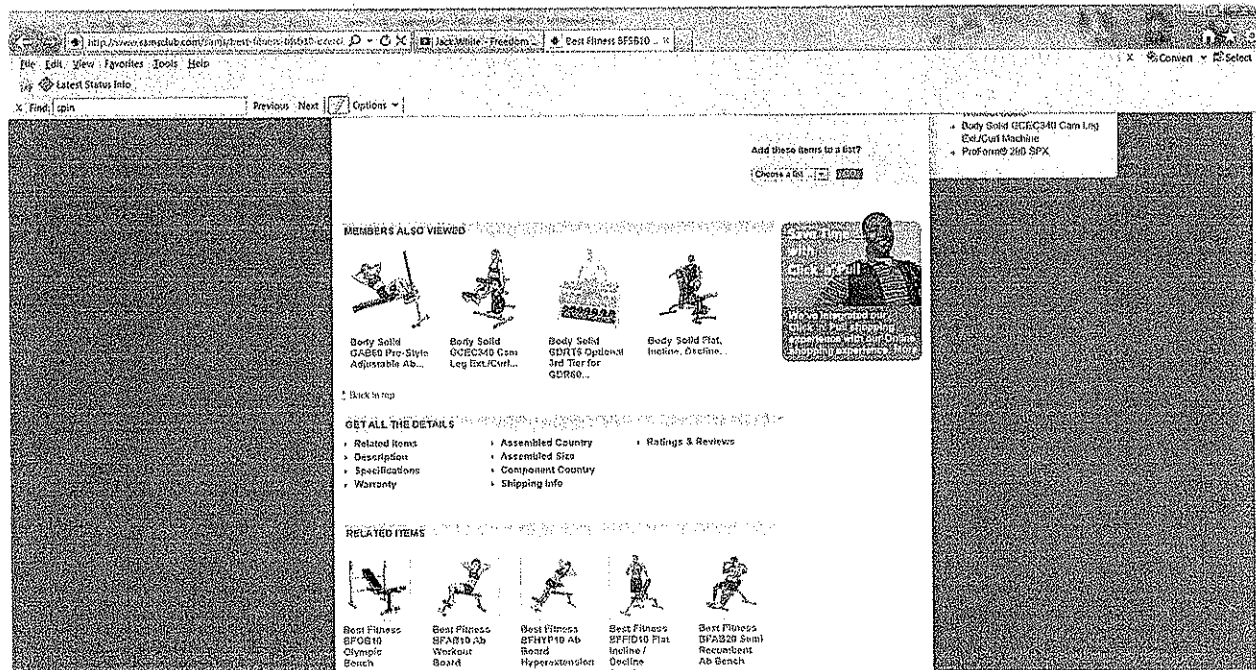
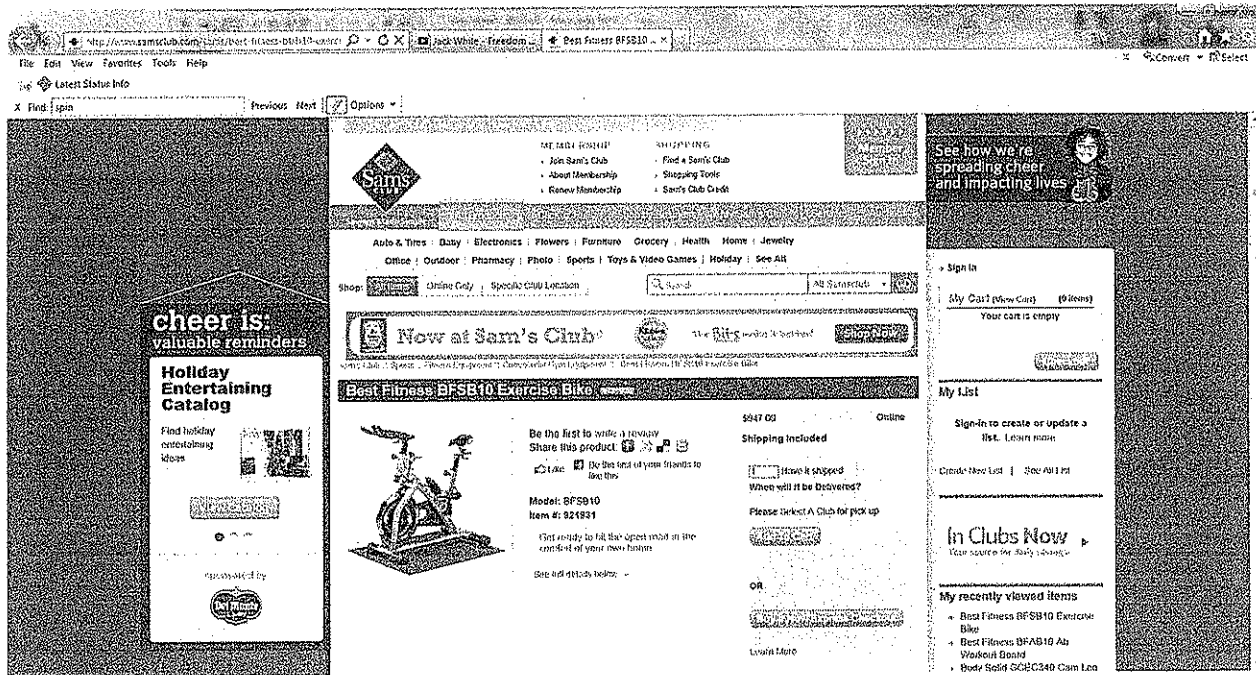
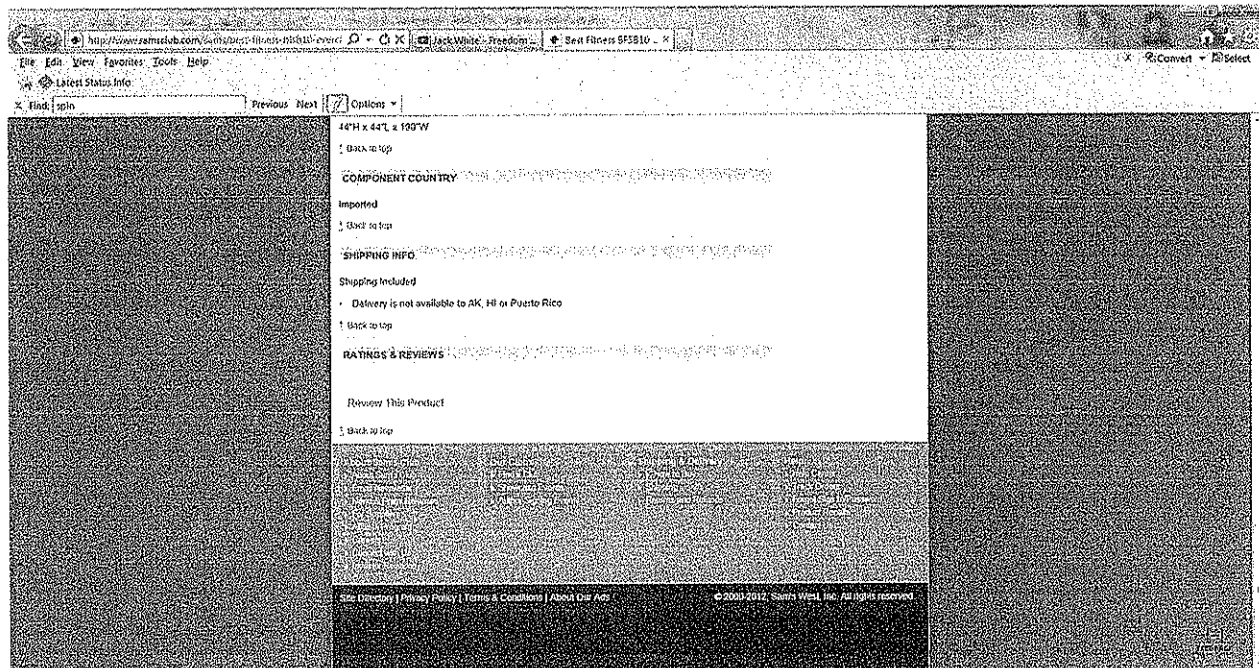
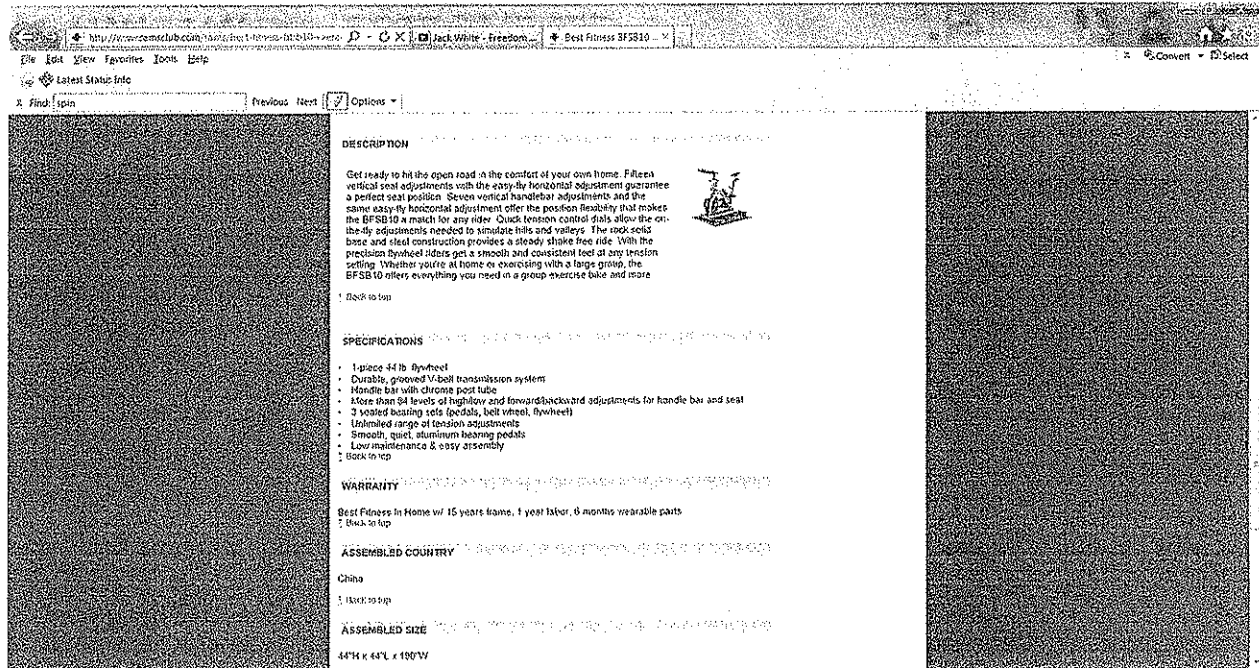


Exhibit No. C

Page No. 1



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open road in the comfort of your own home. Fifteen vertical seat adjustments with the
easy-fly horizontal adjustment guarantee a perfect seat position. Seven vertical
handlebar adjustments and the same easy-fly horizontal adjustment offer the position
flexibility that makes the BFSB10 a match for any rider. Quick tension control dials
allow the on-the-fly adjustments needed to simulate hills and valleys. The rock solid
base and steel construction provides a steady shake free ride. With the precision
flywheel riders get a smooth and consistent feel at any tension setting. Whether
you're at home or exercising with a large group, the BFSB10 offers everything you
need in a group exercise bike and more." >

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Exhibit No. CPage No. 3

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vertical seat adjustments with the easy-fly horizontal adjustment guarantee a perfect
seat position. Seven vertical handlebar adjustments and the same easy-fly horizontal
adjustment offer the position flexibility that makes the BFSB10 a match for any
rider. Quick tension control dials allow the on-the-fly adjustments needed to
simulate hills and valleys. The rock solid base and steel construction provides a
steady shake free ride. With the precision flywheel riders get a smooth and
consistent feel at any tension setting. Whether you&apos;re at home or exercising
with a large group, the BFSB10 offers everything you need in a group exercise bike
and more.';

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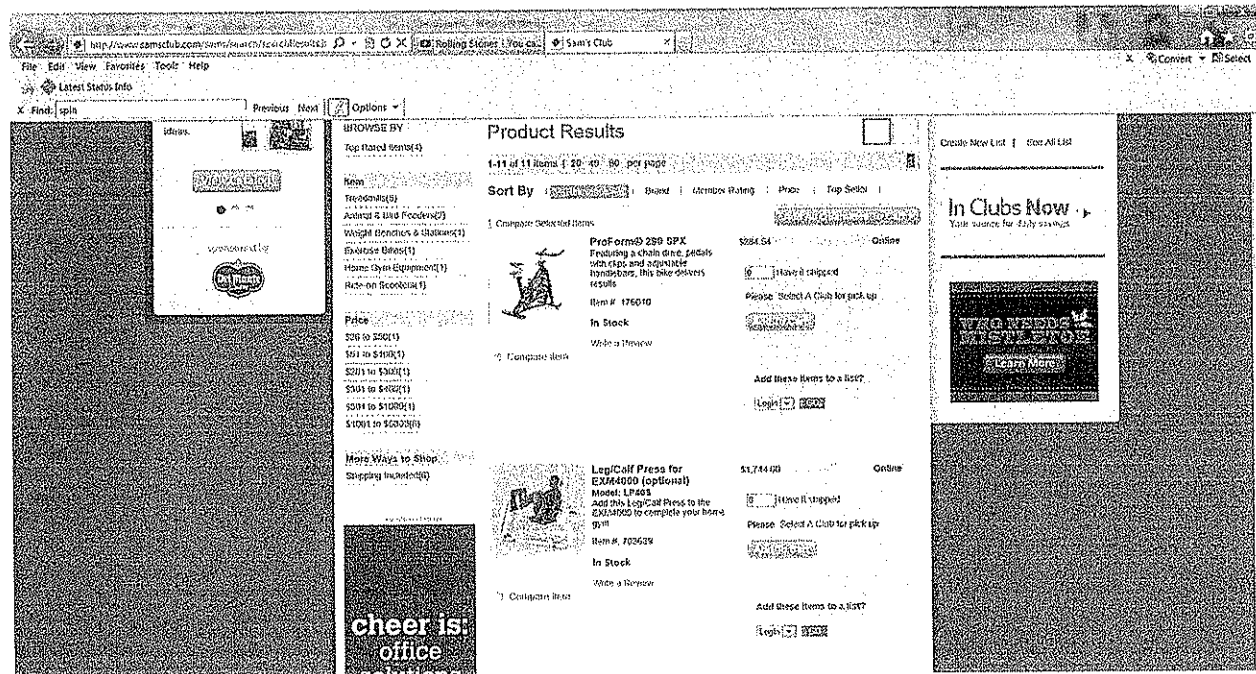
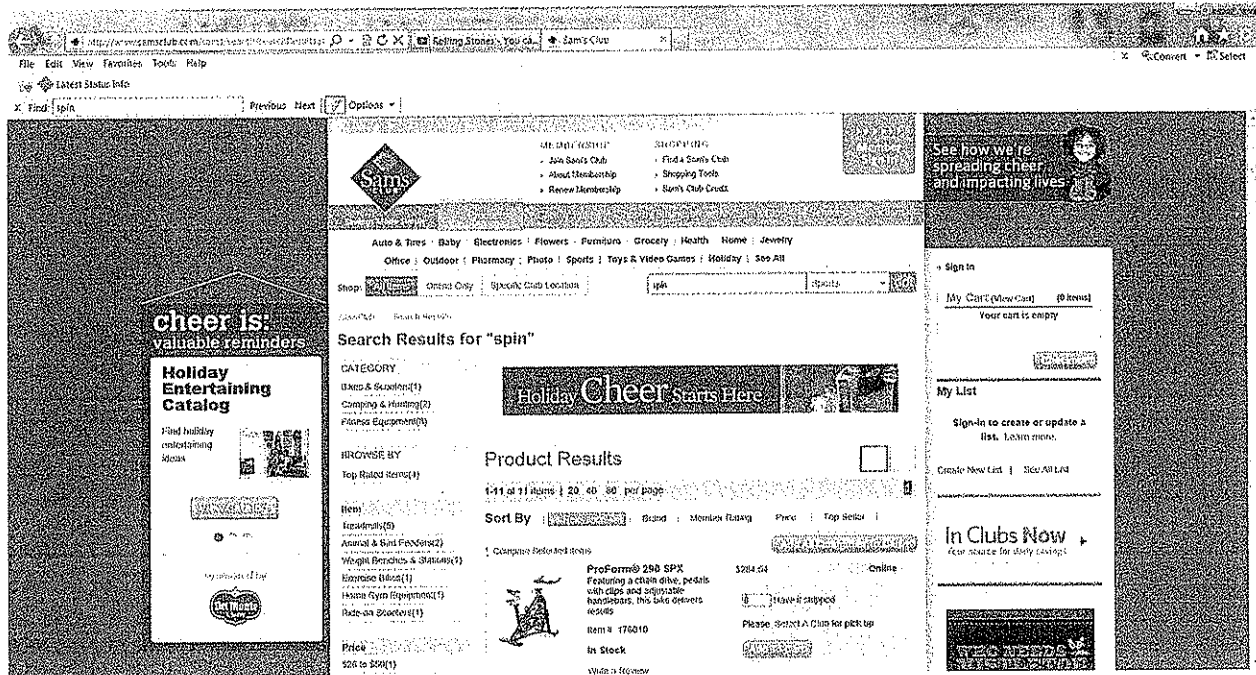
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function jsDecode(value){
    if(value.length){
        value = value.replace(/&lt;/g,"<")
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Exhibit No. CPage No. 4

Exhibit No. CPage No. 5

http://www.samsclub.com/... ProForm® 290 SPX ...

File Edit View Favorites Tools Help

Latest Status Info

Find: spin Previous Next Options

MEMBER B-SHIP
Join Sam's Club
About Membership
Renew Membership

SHOPPING
Find a Sam's Club
Shopping Tools
Sam's Club Credit

Auto & Tires · Baby · Electronics · Flowers · Furniture · Grocery · Health · Home · Jewelry
Office · Outdoor · Pharmacy · Photo · Sports · Toys & Video Games · Holiday · See All

Shop: Online Only · Specialty Club Locations

Now at Sam's Club

ProForm® 290 SPX

Be the first to write a review
Share this product

Model: PFEX62909
Item #: 176910

Featuring a chain drive, pedals with clip and adjustable handbars, the bike delivers results.

See full details below

\$294.00 Online

How it shipped
When will it be delivered?
Please select a club for pick up

OR

Learn More

Add these items to a list?

See how we're spreading cheer and impacting lives

Sign In

My Cart (View Cart) (0 Items)
Your cart is empty

My List

Sign in to create or update a list. Learn more

Create New List | See All List

In Clubs Now
Get source for daily savings

My recently viewed items

- ProForm® 290 SPX
- Best Fitness DF 5910 Exercise Bike
- Best Fitness BFAB 10 Ab Workout Board

cheer is: valuable reminders

Holiday Entertaining Catalog

Find holiday entertaining ideas

Del Monte

http://www.samsclub.com/... ProForm® 290 SPX ...

File Edit View Favorites Tools Help

Latest Status Info

Find: spin Previous Next Options

See Larger Image of Sam's Member Savings

Add these items to a list?
Choose a list

MEMBERS ALSO VIEWED

ProForm® 310...
ProForm® 215 CSX Exercise...
ProForm® 215 CSX Exercise...
ProForm® 315...

Workout Board
Body Solid OCEC340 Cam Leg Ext./Curl Machine

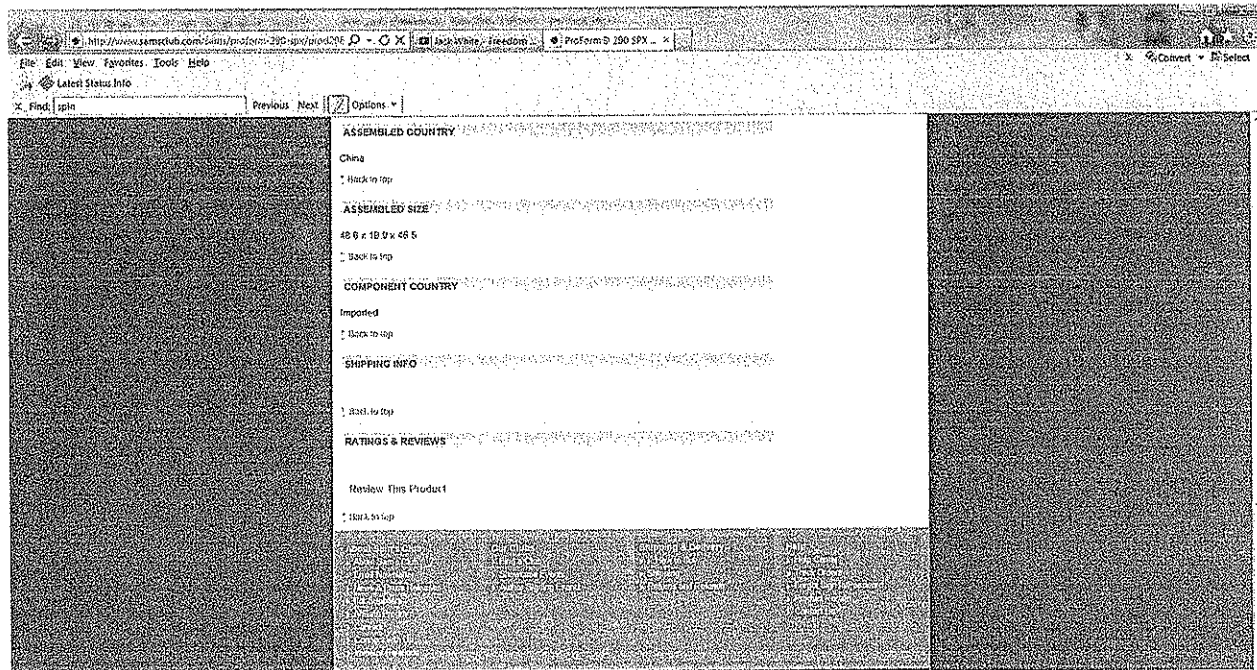
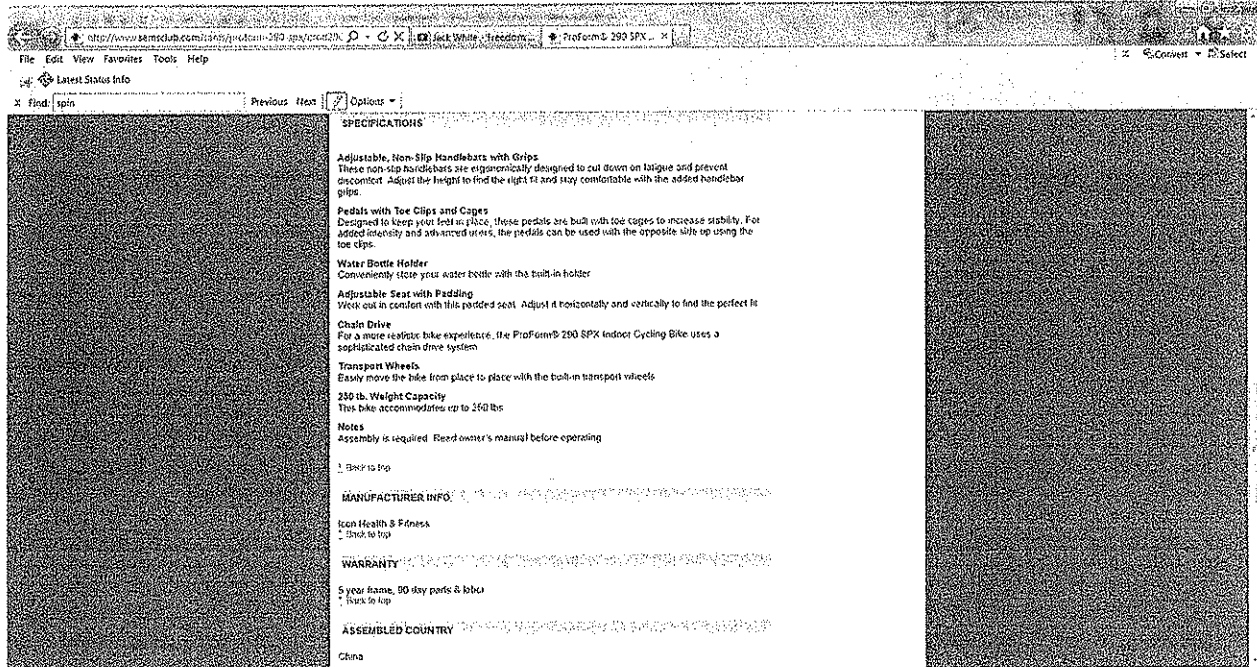
GET ALL THE DETAILS

- Description
- Specifications
- Manufacturer Info
- Warranty
- Assembled Country
- Assembled Size
- Component Country
- Shipping Info
- Rating & Reviews

DESCRIPTION

Get an incredible workout with the ProForm® 290 SPX Exercise Bike. This cycle is built for the ultimate cardio exercise. Whether you're a weekend warrior or a first-time fitness buyer, the 290 SPX Indoor Cycling Bike is for you. Designed with adjustable, non-slip handlebars, you'll quickly find the right position for your workout and get started in no time! The pedals are built with toe cages to increase your stability. For added intensity and advanced users, the pedals can be used with the opposite side up. Stay hydrated throughout your workout with the convenient white bottle holder and easily move the bike to your workout area with the built-in transport wheels.

Exhibit No. CPage No. 6




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290 SPX Indoor Cycling Bike is for you. Designed with adjustable, non-slip
handlebars, you'll quickly find the right position for your workout and get started
in no time! The pedals are built with toe cages to increase your stability. For added
intensity and advanced users, the pedals can be used with the opposite side up. Stay
hydrated throughout your workout with the convenient water bottle holder and easily
move the bike to your workout area with the built-in transport wheels. " >

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Exhibit No. CPage No. 8

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Bike. This cycle is built for the ultimate cardio exercise. Whether you're a weekend
warrior or a first-time fitness buyer, the 290 SPX Indoor Cycling Bike is for you.
Designed with adjustable, non-slip handlebars, you'll quickly find the right position
for your workout and get started in no time! The pedals are built with toe cages to
increase your stability. For added intensity and advanced users, the pedals can be
used with the opposite side up. Stay hydrated throughout your workout with the
convenient water bottle holder and easily move the bike to your workout area with the
built-in transport wheels.';

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    var contextVal = '/sams';
//-->
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    <!--

function jsDecode(value){
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                                .replace(/&#39;/g,"'")
                                .replace(/&#34;/g,"'")
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                                .replace(/&rsquo;/g,"'");
        }
        return value;
    }
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Exhibit No. CPage No. 9